

District III Advisory Board Minutes

November 6, 2002

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**November 6, 2002
7:00 p.m.**

**Colvin Neighborhood City Hall
2820 S. Roosevelt**

The District III Advisory Board meeting was held at 7:00 p.m. at the Colvin Neighborhood City Hall at 2820 S. Roosevelt. In attendance were the District III City Council Member and eight (8) District Advisory Board Members. Nine (9) City staff were present and approximately 39 members of the public of which 24 signed in.

Members Present

Chantelle Brennen
Phyllis Hall
Jim Gulick
Judy Dillard
Matt Foley
John Kemp
Bill Ward
Lois Ann Newman

Members Absent

Gene Fuhr
Phil Bloomquist

Staff Present

Vicki Mork
Joe Pajor, Public Works
Kurt Schroeder, Office of Central Inspection
Mark Bradshaw, Environmental Health
Officer Virgil Miller
Officer Long Nguyen
Officer Dwayne Diehl
Lt. Eric Bastian
Cap. Max Tenbrook

Guests

Listed on page X

ORDER OF BUSINESS

Call to Order

Council member Lambke called the meeting to order at 7:05 pm.

Approval of Minutes

The minutes for October 2, 2002 were approved as read. Moved by Kemp (Newman) and approved 8-0.

Action: Minutes were approved as read (8-0).

Staff Presentations

1. **Lt. Eric Bastian, Wichita Police Department** presented a map showing the proposed changes to citywide Police beats. They have been reduced in size and two new beats were added. Patrol East and West each received seven (7) new officers to cover these new beat areas. **Captain Max Tenbrook** said the beats were drawn up recognizing natural neighborhood boundaries. He explained the beats closer to downtown were smaller as there is a higher crime rate in this area.

Lt. Bastian explained they were presenting this information to the public and the District Advisory Boards because they were requesting feedback about this proposed plan. Lack of comment from DAB members and the audience indicated support for the plan. As a result, **Ward (Kemp)** moved to accept and approve the two new Police beats. The motion passed 8-0.

Action: The Board recommended approval of two new Police beats (unanimous action 8-0).

Public Agenda

2. **Off-agenda items**

Jim Kerschen, 4100 Wilma brought up the bad condition of the property at 1426 Bluffview, **Foley** passed out a copy of email complaint sent to **NA Mork** in July along with pictures and stated nothing had been done with the property since then. The house is inhabited, it is a rental property owned by Rob Snyder and Susan Peters. **Foley** stated he was concerned that OCI expected more stringent compliance with city codes from owner/occupied property than from rental property. **Mork** assured Foley she would follow up and let him know what had happened with the complaint.

CM Lambke called on **OCI Superintendent Kurt Schroeder** who was in the audience, and asked him to address the question of OCI enforcement for all. **Schroeder** explained their office is very willing to work with any property owner who requests extra time in order to comply with OCI citations. He said his department is willing to take all kinds of factors into consideration including weather, seasonal issues etc.

Patsy Ellis, City Clerks Office swore in **Ward, Hall, Dillard, Brennan, Gulick, Kemp, Foley, and Newman** for another term as District Advisory Board members for District III.

3. **Gay Quisenberry, Hilltop Alliance** presented an application for funding of a neighborhood enhancement beautification project in Hilltop Manor through the Matching Neighborhood Grant Program. The group requests \$2722.79 for trees, shrubs, bushes, bulbs, decorative stone and wood chips, benches and signage. Public art is to be a part of the project and paint will also be purchased. The community garden located in Hilltop will be the recipient of a chipper, also included as part of the grant which will be used to generate wood chips and mulch used in the ongoing care of the beautification plantings.

The group pledges 35 volunteer hours from 20 people for the planting and upkeep of the project worth \$5600 as their match for the program. Their labor constitutes a 205% match to

the funds requested. The project began November 9th with a fall cleanup and soil preparation and is anticipated to be completed by the dedication ceremony scheduled for May 31, 2003.

Foley told the group about the contribution of **Donna Rheault, Dear Neighbor Ministries** in guiding the attendees of the last Hilltop Association for Neighborhood Development through an imaging session. Together the groups built a shared vision for the neighborhood. Both the Hilltop Alliance and H.A.N.D. agree wholeheartedly on the need for environment improvement and beautification in Hilltop Manor. As a result **Foley (Newman)** moved to recommend approval of the grant request. The motion passed 8-0.

Action: The Board recommended approval of the Matching Neighborhood Grant in the amount of \$2722.29 for Hilltop Alliance (unanimous action 8-0)

Staff Presentations

4. Community Police Report

Community Police Officers for District V reported on specific concerns for the area

Officer Virgil Miller, Beat 26 reported he has been working with Identia Kid program. A booth was set up at Wal Mart and other sites 300-400 children have been logged into the program.

Officer Long Nguyen reported a number of daytime burglaries in the 2400 Block of Glendale. No suspects have been apprehended yet but they have a lead on some guys.

Officer Diehl, Beat 24 reported that 13 motel operators showed up at a meeting at Patrol South last week, they are participating in the Crime Free Motel Program. Big developments are happening on S. Broadway, Walgreen's is putting in a new pharmacy, the old Mike's Steak House which burned a while back has been sold and is being rebuilt and will be leased. He also reports good success with the implementation of the joint code enforcement for housing.

5. Public Works

Joe Pajor, Natural Resources Director presented the same PowerPoint presentation that was made to the City Council members earlier in the year on the topic of Solid Waste Collection. The presentation covered the national view of trash franchising, the varying cost differences of waste collection in cities similar in size to Wichita, the definition of franchising and local costs for residential trash collection. DAB members received a handout showing the slides **Pajor** presented.

Gulick questioned if the prices cited for trash service were subsidized and **Pajor** responded only Omaha's was. **Kemp** asked why the city wanted to go back and get in the trash business again now and **Pajor** responded that the Council was not necessarily making that case. Their interest was in exploring the issue, they did not have a defined point of view yet.

Foley made a case for different levels of service being provided by different haulers and said at Hilltop Manor they were very pleased with Lies Trash Service. He wondered if neighborhoods could select their preferred vendor from a list but Pajor said that would not be

possible. **Ward** asked if Franchise fees would provide a source of revenue to the city and **Pajor** replied that it depended upon the rates chosen and whether the service made money or was subsidized. **Newman** asked if recycling would cost extra and **Pajor** replied that also would depend upon the agreement. He said under the current system it was possible for everyone to be mandatorily charged for recycling beginning next summer whether the household used the service or not.

Foley asked the reason the Council was looking at this trash issue now and **Lambke** replied the cost and level of trash service has been a concern for them. **Jim Kerschen**, audience member made the comment that he thought franchising would create a monopoly and he favors freedom of choice. Many trash haulers, owners and executives of the various companies attended the meeting and many made presentations including **Jim Spencer, Division Vice President of Waste Connections; David Lies, Owner Lies Trash Service; Gary Black, District Manager Waste Management; Joel Elsea, owner of Air Capital Trash Service; Mark Racoulier, owner Wichita Sanitation Service; and Gilbert Ballinger, Ballinger Trash Service.** They all contended that franchising would have a negative impact on service levels, that it would drive some of the smaller companies out of business, that most of the recent cost increases were due to the increased cost of disposal associated with the recent implementation of the transfer stations and Waste Management and Waste Connections cited their companies recent investment in transfer stations as reasons to let the system remain the way it was. As a result **Foley (Ward)** moved to oppose franchising and support free enterprise. The motion passed 8-0.

Action: The Board recommended denial of franchising trash service (unanimous action 8-0).

6. Office of Central Inspection

Kurt Schroeder, Superintendent of OCI explained licensure of “traveling merchants” was handled by OCI and this review of policy was a result of complaints received from the public in regard to the “computer flea markets” held in town last year. They were investigated and “busted” for not having a license. The man organizing the flea market was also a lawyer and he said the ordinance prohibited free trade. City of Wichita law department agreed and the City Council members were deluged with emails from computer enthusiasts. OCI put together a multi-department committee to develop alternate strategies for two different situations, “Stand” merchants and “Itinerant” merchants.

He reviewed the three options outlined in a memo received by DAB members from the Itinerant Merchant Ordinance Staff Review Committee. He said Option 3 was the most appropriate and effective because it enforced both types of merchants under the same rules essentially combining both categories into one method of enforcement. It includes requirements for proof of Kansas sales tax collections, vendors must provide a written receipt with company name, address etc and comparable to Overland Park’s law it prohibits excess noise. Only one fee structure is proposed and eliminates confusion about where to get the license.

Newman asked if the sale of books by organizations at their meetings would be affected but **Schroeder** said no, they would be exempted. The issue of civic sales was clarified for the DAB board and they would also be exempt. **CM Lambke** asked if the City and County could have a reciprocal agreement and **Schroeder** responded that he thought that could

happen. As a result **Foley (Kemp)** moved that DAB III support Option 3 and that the final draft be brought back for review when it is reworded. The motion passed 8-0.

Action: The board endorsed Option 3 Foley(Kemp) as proposed by the Itinerant Merchant Ordinance Staff Review Committee (unanimous action 8-0).

7. Environmental Health

Mark Bradshaw, Code Enforcement Supervisor provided a handout of Selected Statistics Environmental Maintenance (Premise Condition Code Enforcement) –Third Quarter 2002. The document showed his department's enforcement activities for the past year. He explained the changes in the numbers reflected progress in cleaning up neighborhoods. He said that folks are beginning to get the picture that something will be done, that abatement can happen and cost lots more than if a citizen takes care of their own problem. **Bradshaw** the report wasn't all that it could be but that was due to obtaining figures from two different enforcement systems. **CM Lambke** asked if the Joint Code Enforcement project had been a morale booster for staff and **Bradshaw** said he thought so that the staff was gratified to see progress happening in many of the long-standing tough cases.

Action: Receive and file.

8. Colvin Neighborhood City Hall

Vicki Mork, Neighborhood Assistant provided information to the DAB board that the annual celebration for District III was to be held on Friday, December 13th from 6-9 pm at Colvin Elementary. Entitled, "Traditions Around the World" so far the event's program will feature Native American Drummers and Dancers, Filipino dancers, and Colvin Elementary School Children will sing. Asian food and Mexican food for sale, games for the kids, City of Wichita department fair, story telling and pictures with Santa Claus. We intend to provide goodie bags for the first 600 children in attendance. The event is open to everyone in District III and an article will be mailed out soon to all Neighborhood Associations for inclusion in newsletters. **Mork** encouraged everyone to attend to give the beginning of this tradition a BIG enthusiastic initiation.

Board Agenda

9. Updates, Issues and Reports

CM Lambke said the DAB board needed to provide a recommendation on the Fireworks issue. **Gulick** said he took this issue to his group and they wanted to leave things they way they are now with increased enforcement. **Dillard** said her association felt the same way. **Kemp** said his group want the sales controlled outside of the city limits of Wichita. As a result **Gulick (Dillard)** moved that Option C be endorsed with a request for increased enforcement.

Discussion follow **Newman** asked how enforcement would be increased. **CM Lambke** said he had been told that enforcement is nearly impossible. **Gulick** called the question and the motion failed, 3 for it and 5 voted against it.

As a result **Foley (Gulick)** proposed a new motion basing it on Option C with some added enforcement features, "Possession or use of any illegal fireworks, as defined by City

Ordinance, fired or unfired within the city limits of Wichita is unacceptable to DAB III. Legal fireworks are acceptable during specific time periods with increased enforcement.” The motion passed unanimously 8-0.

Action: The Board recommended allowing legal fireworks during a specified time period, increasing enforcement and considering possession of fired or unfired illegal fireworks a citable offense (unanimous action 8-0). This recommendation will be passed on to the City Manager.

10. Next Meeting

The next meeting will be held on Wednesday, **December 4, 2002** at the Colvin Neighborhood City Hall.

Motion made to adjourn by Kemp(Dillard) at 10:27 pm passed unanimously (8-0).

Respectfully Submitted,

Vicki Mork, Neighborhood Assistant
District III

Visitors

Ralph J. Cook	1920 S. Lexington
Jim Kerschen	4100 Wilma
Jim Spencer	2745 N. Ohio
Carole Campbell	2821 S. Mosley
Gay Quisenberry	910 S. Bluffview
Paul Diaz	1901 Harbor Light
Ted Keehn	1329 S. Pershing
Jean Leffler	2526 S. Mosley
Jeff Fawcett	2333 Baytree
Kary Dixon	2601 N. Shefford Ct.
Carolyn Sandborn	9501 Hardtner
Melody Stuky	2756 Mason Terrace

David Lies	4631 Palisade
Delbert Riley	2442 Laura
Betty Strickland	1302 Galena
Annette Mapes	1314 Galena
Paul Fritz	10931 Dora Ct
Joann Hartig	1756 S. Main
Cary Black	4330 W. 31 st S.
Chris Ballinger	2709 Key West
Ben Ballinger	2709 Key West
Kristian Burns	1329 Bluffview
Donna Rheault	1329 Blufview
Lonny Wright	2320 Alameda